



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

David W. Lynch
Chambliss, Bahner & Stophel
1000 Tallan Square-H
Two Union Square
Chattanooga, TN 37402

COPY MAILED

SEP 29 2006

OFFICE OF PETITIONS

In re Application of
Cideciyan et al.
Application No. 10/683,646
Filed: October 10, 2003
Attorney Docket No. HSJ920030151US1

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on March 24, 2006, to revive the above-identified application. The petition was recently forwarded to the Office of Petitions for a decision on its merits. The Office apologizes for any inconvenience.

The application became abandoned on October 28, 2005, for failure to file a timely and proper response to the final Office action mailed on July 27, 2005, which set a three (3) month shortened statutory period for reply. The present petition preceded the mailing of a Notice of Abandonment.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of a Notice of Appeal and an authorization to charge the requisite fees, and made a proper statement of unintentional delay. Accordingly, the petition is **granted**. **Petitioner must file an appeal brief within two months from the mailing date of this decision.**

The Office notes that the current large entity fee for filing a Notice of Appeal is \$500.00, not \$330.00. Therefore, the Office charged the correct fee of \$500.00 to the Deposit Account as authorized.

This matter is being referred to Technology Center Art Unit 2627.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3211.

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions